Michigan Amateur Hockey Association

UNIFORM SUSPENSION APPEALS PROCEDURE

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SUSPENSION APPEALS PROCEDURE

- MAHA Appeals Committee Chairperson*:

  Larry Johnson 14035 Seminole Redford Twp., MI 48239

  Phone & Fax: (313) 255-2666

- (* For appeals by MAHA Officers or Directors who have been suspended, see the MAHA Annual Guide Rules and Regulations paragraph XVII for definition of the appeals committee. All of the procedures shown here apply.)

- The following appeals procedure is taken from the Appeals procedure shown in the USA HOCKEY Annual Guide, Bylaw 10.G. No material difference has been made. However, areas not applicable to the suspension of players, coaches and organizations have not been included. Specific applications or clarifications as apply to MAHA are shown in italic.

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APPEALS

Any person or organization that has been suspended after a hearing may appeal the suspension by following the steps shown below.

1. NOTICE OF APPEAL
   - The suspended person must send a Notice of Appeal to the MAHA Appeals Committee Chairperson and to the Chairperson of the District or Board that gave out the suspension.
   - The Notice of Appeal must be in writing and simply states that you intend to appeal your suspension.
   - The Notice of Appeal must be postmarked within ten (10) days of when you received the decision that you are suspended.
   - If the notice of appeal is not delivered to the appropriate appeal authority within the ten (10) day period, the suspension shall be final.
     - *The hearing panel (suspending authority) should normally render their decision within five (5) business days of the hearing. The ten (10) days start from receipt of the hearing panel's decision in writing.*
     - *If a hearing is not conducted within thirty (30) days from the date the District Council is notified of a request for a hearing, the player / coach is automatically returned to the ice. No appeal is required.*

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2. STATEMENT OF APPEAL

- The suspended person must send a Statement of Appeal to the MAHA Appeals Committee Chairperson <u>and</u> to the Chairperson of the District or Board that gave out the suspension. This is your actual appeal.
- The Statement of Appeal is a written statement of why the suspension should be overruled or reversed.
  - Only the evidence and theories explicitly presented to the panel that suspended you will be considered for appeal. If information was not presented to the panel during your suspension hearing, it cannot now be considered in your appeal.
  - Be specific on why the suspension should be overturned.
- The Statement of Appeal must be delivered within thirty (30) days of when you received the decision that you are suspended.
  - You may request a copy of the audio tape from your suspension hearing. If it takes an undue period of time to receive a copy of the tape, you may request additional time (over and above the thirty days) from the MAHA Appeals Committee to submit the Statement of Appeal.
- The panel that suspended you has twenty (20) days from receipt of the Statement of Appeal, to respond to the Statement of Appeal by delivering a copy of its response to the appeals committee and to you.

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3. Your suspension remains in effect during the appeals process.
4. What The Appeals Committee Does
   - At its option, the Appeals Committee may hold a hearing or consider the appeal on the written submissions of the parties to the appeal and establish other hearing rules so long as each party is treated substantially equal. Notice of an appeals hearing, if any, shall be given to all parties.
5. Appeal Decision Timing
   - The Appeal Committee must use every reasonable effort to decide the appeal within ten (10) days from the submissions to it, but not to exceed fifteen (15) days.
6. Authority of the Appeals Committee
   - The Appeals Committee may affirm, reverse or modify (including increase or decrease) any suspension as it deems proper under the circumstance before it.
7. No Further Appeals
   - There shall be no further appeals, other than noted in USA Hockey Bylaw 10,G,1,a. and administrative remedies shall be deemed exhausted.

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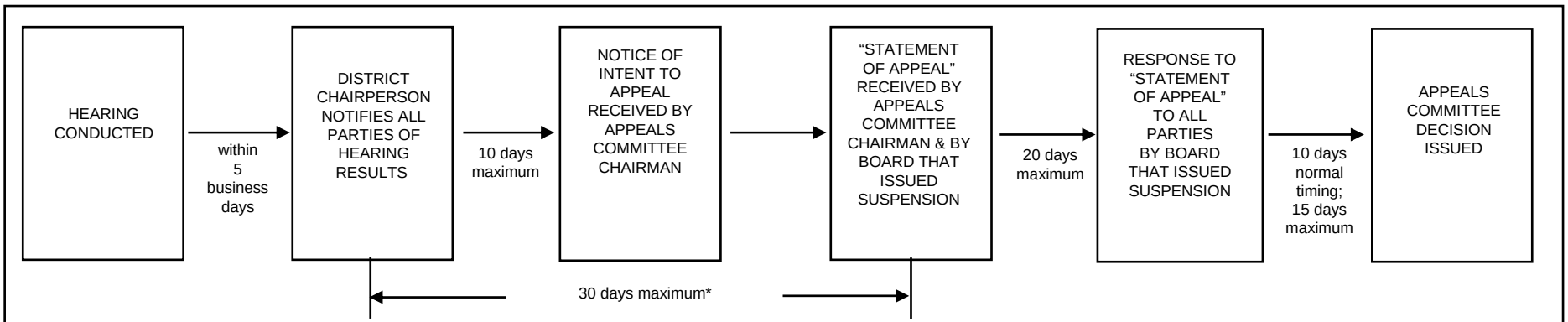
MAHA APPEALS PROCEDURE TIMELINES



*** "STATEMENT OF APPEAL":** If it takes an undue amount of time to receive a copy of the audio record of the hearing or other material from the hearing, the suspended party may request additional time from the Appeals Committee to prepare & deliver the Statement of Appeal.